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ELI LILLY AND COMPANY

By Hinda M. Duabon

Date September 7, 2001

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tracy L. Borts, et al.)
Serial No. : 09/091,605)
Filed : June 16, 1998) Group Art Unit:
For : Diabetes Therapy) 1632
Docket No. : X-9872) Examiner:
Peter Brunovskis

PETITION TO REVIVE UNDER 37 C.F.R. §1.137 (b)

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D. C. 20231

RECEIVED
21 DEC 2001
International Division

RECEIVED
SEP 13 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Sir:

The above-identified application was abandoned for failure to timely reply to the Office Action mailed on Dec. 19, 2000. Applicants do not have any record of receiving such Office Action; thus, Applicants respectfully state that the delay was unintentional and petition that the application be revived and reinstated as a pending application. Applicants further state that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicants still do not have a copy of the outstanding Office Action and request that the office send Applicants such Office Action of Dec. 19, 2000 and restart the clock for the response period.

Please charge the amount of \$1,240 (the fee under 1.17(m)) to cover the cost of this Petition and charge any additional fees which may be required by this or any other related paper, or credit any overpayment to Deposit Account No. 05-0840]. An original and two copies of this paper are enclosed.

Serial No. 09/091,605

Applicants request favorable action on this petition.

Respectfully submitted,



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